

SENATE BILL REPORT

SHB 1472

As Reported By Senate Committee On:
Human Services & Corrections, March 27, 2007
Ways & Means, April 2, 2007

Title: An act relating to analyzing and remedying racial disproportionality and racial disparity in child welfare.

Brief Description: Analyzing and remedying racial disproportionality and racial disparity in child welfare.

Sponsors: House Committee on Early Learning & Children's Services (originally sponsored by Representatives Pettigrew, Haler, Kagi, P. Sullivan, Walsh, Lovick, Barlow, Kenney, McCoy, Darneille, Hasegawa, Roberts, Hinkle, Santos, Appleton, Upthegrove, Williams, Moeller, Ormsby, VanDeWege, Schual-Berke and Dickerson).

Brief History: Passed House: 2/28/07, 95-2.

Committee Activity: Human Services & Corrections: 3/16/07, 3/27/07 [DPA].
Ways & Means: 4/02/07 [DPA(HSC)].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Carrell and McAuliffe.

Staff: Indu Thomas (786-7459)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended by Committee on Human Services & Corrections.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Carrell, Fairley, Hatfield, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Parlette, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Tom.

Staff: Paula Moore (786-7449)

Background: Racial disproportionality occurs when a particular racial or ethnic group is represented at a higher percentage than would be expected based on their percentage of the population as a whole. A related concept used to discuss disproportionate representation is

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over-representation. This concept looks at the difference between how a particular group is represented in a system compared with how that same group is represented in the general population.

Racial disparity refers to disparate provision of services (type, quantity, or quality) or treatment among racial or ethnic groups. The term racial disparity may be used to describe disparate outcomes related to health, mental health, educational achievement and graduation rates, permanency, homelessness, or criminal involvement for different racial or ethnic groups.

Summary of Substitute Bill: The Secretary of the Department of Social and Health Services (DSHS) is directed to convene an advisory committee to address racial disproportionality and disparity in Washington's child welfare system. The advisory group will be limited to 15 members and include:

- 1) experts in social work, law, child welfare, psychology, and related fields;
- 2) two or more tribal representatives;
- 3) one representative of a community-based organization involved with child welfare;
- 4) one representative from the DSHS;
- 5) one current or former foster youth;
- 6) one current or former foster parent;
- 7) one parent previously involved with Washington's child welfare or juvenile justice system; and
- 8) a representative from the Governor's Juvenile Justice Advisory Committee.

The Senate, House of Representatives, and Secretary of the DSHS each will appoint five members of the advisory committee. Appointments to the committee must be coordinated to achieve the specified representation. Once appointed, the committee will select two members to serve as co-chairs, one of whom must be from a non-governmental entity. The Washington Institute for Public Policy will provide technical assistance to the committee. The DSHS must make reasonable efforts to seek public and private funding for the advisory committee.

The advisory committee must examine and analyze:

- 1) the level of involvement of children of color in the state's child welfare system; and
- 2) the outcomes for children in the existing system.

By September 1, 2007, the committee must report the results of its analysis to the DSHS. If the data indicates disproportionality or disparity for one or more racial or ethnic groups within one or more regions in the state, the DSHS must develop a plan to remedy the disproportionality or disparity. The committee will provide ongoing evaluation of current and prospective efforts to reduce and eliminate racial disproportionality and disparity. By January 1, 2008, the DSHS must report to the Legislature regarding the analysis undertaken by the committee and the plan to remedy the disproportionality or disparity. Beginning January 1, 2009, and through January 1, 2013, the DSHS must provide the Legislature with an annual progress report on efforts to reduce and eliminate racial disproportionality and disparity in the state's child welfare system. The act expires June 30, 2013.

EFFECT OF CHANGES MADE BY RECOMMENDED AMENDMENT(S) AS PASSED COMMITTEE (Human Services & Corrections): The advisory committee is required to examine and analyze the impact of poverty and family structure, in addition to

level of involvement and outcomes for children of color in the child welfare system. The timeline for reporting is modified. The advisory committee is to report to DSHS Secretary not later than June 1, 2008, rather than September 1, 2007. The DSHS Secretary is to report and propose a remediation plan to the appropriate committees of the Legislature by December 1, 2008, rather than January 1, 2008. Finally, the annual reports to the Legislature, regarding implementation of the remediation plan, are to begin January 1, 2010, rather than January 1, 2009.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (Human Services & Corrections): PRO: The issue of disproportionality was an issue 35 years ago and continues to be an issue today. The goal is to make Washington the healthiest state in the nation. This bill attempts to identify and address the disparities in representation of children of color in the state child welfare system. The elimination of racial disproportionality and disparity in outcomes for children in the welfare system is a high priority. The differences between the House and Senate bills will expedite the implementation and coordination of appointments and reduce duplication of efforts. Regardless of how those technical details are addressed, it is important to pass this bill and to take advantage of national entities that are available and willing to provide expertise and technical assistance to this effort. The timeframes in this bill only provide six weeks to analyze a complicated issue and create a report.

Persons Testifying (Human Services & Corrections): PRO: Sarah Cherin, Children's Alliance; Kip Tokuda, City of Seattle; Ryan Spiller, Washington Health Foundation; Nancy Robert-Brown, Catalyst for Kids.

Staff Summary of Public Testimony (Ways & Means): PRO: The results of the study could reduce the costs of foster care in the state. Similar measures in Michigan resulted in reduced foster care caseload and increased number of relative placements.

Persons Testifying (Ways & Means): PRO: Sarah Cherin, Children's Alliance.